

IN THE

**Court of Appeal of the State of California**

IN AND FOR THE

**Fifth Appellate District**

**F046114      People v. Malone**

The sentence in count 2 is stayed pursuant to Penal Code section 654. The trial court is directed to amend the abstract of judgment reflecting this change and to forward a copy to the appropriate authorities. In all other respects, the judgment is affirmed.  
Vartabedian, J.

We concur: Ardaiz, P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046445      Smith et al. v. Dan Gamel, Inc. et al.**

The above-entitled case is submitted for decision.

**F046445      Smith et al. v. Dan Gamel, Inc. et al.**

The judgment is affirmed. Costs to respondent. Ardaiz, P.J.

We concur: Vartabedian, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046662      Penn v. Coleman**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F046662      Penn v. Coleman**

The judgment is affirmed. Costs on appeal are awarded to respondent.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045619      People v. Washington**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F049070      Vickie J. v. The Superior Court of Tulare County; Tulare County  
Department of Health and Human Services Agency**

The above-entitled case is submitted for decision.

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**F048571      Terpstra v. The Board of Trustees California State University**  
Appellant having filed an abandonment and/or request for  
dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the  
above-entitled action is dismissed.

**F046928      People v. Holguin**  
Counsel having failed to request oral argument in the above-  
entitled case, oral argument is deemed waived in accordance with the  
provisions of a notice heretofore mailed to counsel and the cause is  
submitted.

**F046928      People v. Holguin**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048230      In re C.B., a Minor; Fresno County Department of Children and Family  
Services v. J-Ann B.**  
Counsel having failed to request oral argument in accordance with  
the provisions of a notice mailed to counsel, the case is submitted for  
decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

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**F048230      In re C.B., a Minor; Fresno County Department of Children and Family Services v. J-Ann B.**

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048872      In re Mercedes S. et al., Minors**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F049385      In re Bethany H., a Minor**

**F049386      In re Thomas H., a Minor**

**F049388      In re Christopher H., a Minor**

On its own motion and after notice to the parties, the court orders the captioned matters administratively consolidated for purposes of preparation of the record on appeal, appellate briefing, and any oral argument. Upon submission of the case, the court may vacate this consolidation order and separate opinions may be filed under the original appellate case numbers.